



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,543	09/22/2005	Jussi Hakuti	915-007.127	7526
4955 7590 06/17/2009 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468				
EXAMINER				
MARKS, JACOB B				
ART UNIT		PAPER NUMBER		
1795				
MAIL DATE		DELIVERY MODE		
06/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,543

Applicant(s)

HAKUNTI ET AL.

Examiner

JACOB MARKS

Art Unit

1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4-6-09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The applicant's amendment filed on April 6, 2009 was received. Claims 1-10 were amended. Claim 11 was added.
2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action issued on November 28, 2009.

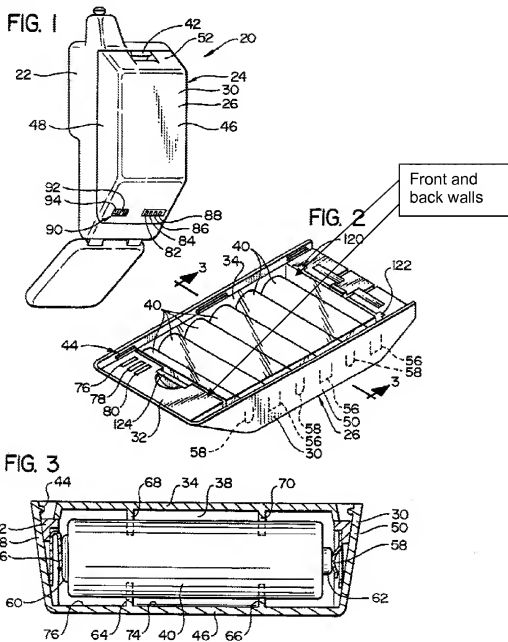
Claim Rejections - 35 USC § 103

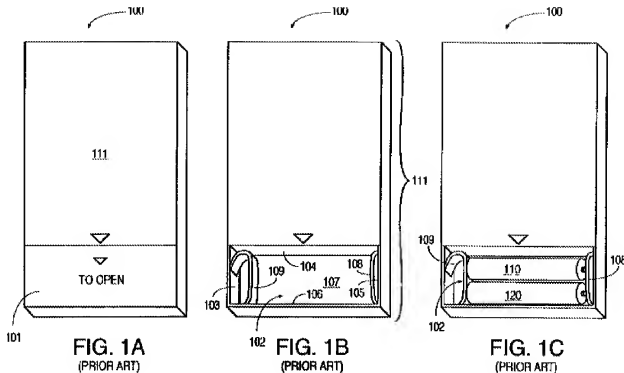
3. The claim rejections under 35 U.S.C. 103(a) as being unpatentable over Law et al. in view of Dinsdale on claims 1-11 are withdrawn because claims 1-11 have been amended.
4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Law et al. (U.S. Pat. No. 5,733,674) in view of Redford (U.S. Pat. No. 5,763,112).

Regarding Claim 1, Law et al. teaches a battery holder (26) for an electronic device comprising an outer surface (30), guiding elements (68 and 70) configured to receive at least one exchangeable battery (40) at a side opposite to said outer surface (30) and a projection and a connection (120, 122, 124; col. 8 line 66-col. 9 line 10) for connecting said battery holder (26) releasably to an electronic device and that the outer surface (30) of the battery holder (26) forms part of the outer surface of the electronic device (fig. 1; col. 6 line 35-col. 7 line 35).

Law et al. does not teach that the electrical contact elements of the at least one battery received by said battery holder come into contact with the electrical elements of said electronic device.

However, Redford teaches that a conventional electrical device may have a battery cover wherein the electrical contact of the at least one battery come into direct contact with the electronic device (see fig. 1; terminals 108, 109). Furthermore, the use of a direct electrical contact element in Redford combined with the battery holder of Law et al. is a simple substitution of one known element for another to obtain predictable results (see MPEP 2143). Therefore, it would have been obvious to a person of ordinary skill in the art to make the above substitution and one of ordinary skill in the art would know that, whether the battery contacts the electronic device directly or not, there would be the same predictable result of the electronic device being powered.





Regarding claim 2, Law et al. teaches a battery holder (26), wherein guiding elements (fig. 3 #68, #70) are configured to enable guided reception of at least one battery (fig. 3 #40).

Claim 3 recites a "battery holder (30) according to claim 2 further comprising locking means for fixing at least one received battery (20) to said battery holder (30)." Applicant's specification supports and illustrates in figure 1 the locking means (33) (applicant's spec. pg. 7 par. 1). Accordingly, this means-plus-function language invokes a 35 U.S.C. 112, sixth paragraph limitation (see MPEP § 2181). The specification discloses a locking means may comprise "a tiny projection arranged between the small projections 33, which tiny projection extends along a middle part of the corresponding narrow side of the battery holder 30 opposite to its surface 31" (pg. 7 par. 1). The claim limitation is therefore interpreted as encompassing a tiny projection that extends across

the side opposite the surface 31 and any other locking means and all of their equivalent structures.

Regarding claims 3 and 9, Law et al. discloses a front and back wall in a battery holder that could act to as a locking means for fixing the at least one battery to the battery holder (fig. 2).

Claims 4 and 10 recite "wherein said projection comprises first connecting means for interacting with first connecting means of an electronic device and wherein said connection comprises second connecting means for interacting in a snapping manner with second connecting means of said electronic device when said first connecting means of said battery holder are interacting with said first connecting means of said electronic device." The applicants specification supports and illustrates in figure 1 the first connecting means (33); the first connecting means (12) of an electronic device; the second connecting means (34); and second connecting means (13) of an electronic device. The first connecting means (33) is interpreted to encompass a projection on the battery holder (see spec. pgs. 6-7 par. 29) and its equivalents. The first connecting means of an electronic device is interpreted to encompass a groove or an eye (see spec. pgs. 6-7 par. 30) and its equivalents. The second connecting means (34) is interpreted to encompass a snapping connection and its equivalents (see spec. pgs. 6-7 par. 29). The second connecting means (13) of an electronic device is interpreted to encompass a snapping connection, which is complementary to the second connecting means (34), and its equivalents.

Regarding claims 4 and 10, Law et al. teaches that the first connecting means may comprise hooks (122, 120, col. 8 line 66-col. 9 line 10). Law et al. describes the first connecting means of an electronic device as grooves or holes (see col. 8 line 66 – col. 9 line 10). Law et al. discloses using a hook and a groove, which is the same as a projection and a connection. In addition, Law et al. discloses a second connecting means (124) for interacting in a snapping manner with a second connecting means (42) of an electronic device that acts while the first connecting means are interacting. Law et al. teaches a second connecting means (fig. 2 # 124) can be a detent latch. This latch could act in a snapping manner with the second connecting means (42) of an electronic device. Law et al. discloses that the first connecting means of electronic device can be projection (col. 8 line 66-col. 9 line 10), which would complement the latch so that the snapping is achievable.

Regarding claim 5, Law et al. discloses a cover (22) for an electronic device and a battery holder as described above (see Law et al. fig. 1 # 26). The battery holder (26) is connected to said cover (22) by said projection and connection (hooks 120, 122; grooves col. 8 line 65-col. 9 line 10).

Regarding claim 6, Law et al. discloses a button for releasing the battery holder. In the specification, Law et al. refers to a detent latch, which may be depressed to release the battery holder from the electronic device (col. 8 line 65-col. 9 line 10). This button also interacts with the means (hooks 120, 122; grooves col. 8 line 65-col. 9 line 10) for connecting the battery holder by using said means as a pivot point (col. 8 line 65-col. 9 line 10).

Regarding claim 7, Law et al. discloses an electronic device as described above (see Law et al. fig. 1 # 22). Including the feature of a battery holder (26) that is connected to said electronic device (22) by said projection and said connection (hooks 120, 122; grooves col. 8 line 65-col. 9 line 10) configured to releasably connect said battery holder (26) to an electronic device (22).

Regarding claim 8, Law et al. discloses an electronic device comprising a button (detent latch 124) for releasing said battery holder (26) from said electronic device (22), which button interacts with the projection and connection (hooks 120, 122; grooves col. 8 line 65-col. 9 line 10) configured to releasably connect said battery holder (26) to said electronic device (see col. 8 line 65-col. 9 line 10).

Claim 11 recites a "means (32) for receiving at least one exchangeable battery (20) at a side opposite to said outer surface (30) and means (33, 34) for connecting said battery holder (30) releasably to an electronic device..." The specification supports and illustrates in figure 1 (see fig. 1; pg. 6 line 6-pg. 7 line 8) the means for receiving the exchangeable battery and the means for connecting the battery holder releasably to an electronic device. Accordingly, this means-plus-function language invokes 35 U.S.C. 112, sixth paragraph limitation (see MPEP § 2181).

Regarding claim 11, Law et al. teaches a battery holder (26) for an electronic device comprising an outer surface (30), means (68 and 70) for receiving at least one exchangeable battery (40) at a side opposite said outer surface (30) and means (120, 122) for connecting the battery holder (26) releasably to an electronic device. Law et al.

further teaches that the outer surface (30) of the battery holder (26) forms part of the outer surface of the electronic device (fig. 1; col. 6 line 35-col. 7 line 35).

Law et al. does not teach that the electrical contact elements of the at least one battery received by said battery holder come into contact with the electrical elements of said electronic device.

However, Redford teaches that a conventional electrical device may have a battery cover wherein the electrical contact of the at least one battery come into direct contact with the electronic device (see fig. 1; terminals 108, 109). Furthermore, the use of a direct electrical contact element in Redford combined with the battery holder of Law et al. is a simple substitution of one known element for another to obtain predictable results (see MPEP 2143). Therefore, it would have been obvious to a person of ordinary skill in the art to make the above substitution and one of ordinary skill in the art would know that, whether the battery contacts the electronic device directly or not, there would be the same predictable result of the electronic device being powered.

Response to Arguments

5. Applicant's arguments filed April 6, 2009 have not been considered because applicant has substantively amended the specification and has necessitated a rejection based upon new grounds. Applicant's arguments are therefore moot.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB MARKS whose telephone number is (571)270-7873. The examiner can normally be reached on Monday through Friday 7:30-5:00 alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dah-Wei Yuan can be reached on 571-272-1295. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jacob Marks/

/Dah-Wei D. Yuan/
Supervisory Patent Examiner, Art Unit 1795